

108TH CONGRESS
1ST SESSION

S. 1600

To provide for periodic Indian needs assessments, to require Federal Indian program evaluations, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 9, 2003

Mr. CAMPBELL (for himself and Mr. INOUE) introduced the following bill;
which was read twice and referred to the Committee on Indian Affairs

A BILL

To provide for periodic Indian needs assessments, to require Federal Indian program evaluations, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Indian Needs Assess-
5 ment and Program Evaluation Act of 2003”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress finds that—

8 (1) the United States and the Indian tribes
9 have a unique legal and political government-to-gov-
10 ernment relationship;

1 (2) under the Constitution, treaties, statutes,
2 Executive orders, court decisions, and course of con-
3 duct of the United States, the United States has a
4 trust obligation to provide certain services to Indian
5 tribes and members of Indian tribes;

6 (3) Federal agencies charged with admin-
7 istering programs and providing services to or for
8 the benefit of Indian tribes and members of Indian
9 tribes have not provided Congress adequate informa-
10 tion necessary to assess the adequacy of the pro-
11 grams and services meeting the needs of Indian
12 tribes and members of Indian tribes, hampering the
13 ability of Congress to determine the nature, type,
14 and magnitude of those needs or the ability of the
15 United States to respond to those needs; and

16 (4) Congress cannot properly fulfill its obliga-
17 tion to Indian tribes and Indian people unless it has
18 an adequate store of information concerning the
19 needs of Indian tribes and members of Indian tribes
20 nationwide.

21 (b) PURPOSES.—The purposes of this Act are—

22 (1) to ensure that Indian needs for Federal pro-
23 grams and services are known in a more certain and
24 predictable fashion;

1 (2) to require that Federal agencies carefully
2 review and monitor the effectiveness of programs
3 and services provided to Indian tribes and members
4 of Indian tribes;

5 (3) to provide for more efficient and effective
6 cooperation and coordination of, and accountability
7 from, the agencies providing programs and services,
8 including technical and business development assist-
9 ance, to Indian tribes and members of Indian tribes;
10 and

11 (4) to provide to Congress reliable information
12 regarding both Indian needs and the evaluation of
13 Federal programs and services provided to Indian
14 tribes and members of Indian tribes nationwide.

15 **SEC. 3. DEFINITIONS.**

16 In this Act:

17 (1) INDIAN TRIBE.—The term “Indian tribe”
18 has the meaning given the term in section 4 of the
19 Indian Self-Determination and Education Assistance
20 Act (25 U.S.C. 450b).

21 (2) NEEDS ASSESSMENT.—The term “needs as-
22 sessment” means an assessment of the program and
23 service needs of Indian tribes and members of In-
24 dian tribes, that includes, at a minimum, consider-
25 ation of—

1 (A) the population of each Indian tribe (in-
 2 cluding the population of tribal members lo-
 3 cated in the service area of an Indian tribe,
 4 where applicable);

5 (B) the size of the service area;

6 (C) the location of the service area;

7 (D) the availability of similar programs
 8 within the geographical area to Indian tribes or
 9 tribal members; and

10 (E) socioeconomic conditions that exist
 11 within the service area.

12 (3) PROGRAM EVALUATION.—The term “pro-
 13 gram evaluation” means an evaluation report devel-
 14 oped in accordance with section 4(b).

15 (4) SECRETARY.—The term “Secretary” means
 16 the Secretary of the Interior.

17 **SEC. 4. NEEDS ASSESSMENTS AND PROGRAM EVALUA-**
 18 **TIONS.**

19 (a) NEEDS ASSESSMENTS.—

20 (1) DEVELOPMENT OF METHOD, CRITERIA, AND
 21 PROCEDURES.—Not later than 180 days after the
 22 date of enactment of this Act, the Secretary, in con-
 23 sultation and coordination with tribal governments
 24 and with the Secretary of Agriculture, Secretary of
 25 Commerce, Secretary of Defense, Secretary of En-

1 ergy, Secretary of Labor, Attorney General, Sec-
2 retary of the Treasury, Secretary of Transportation,
3 Secretary of Veterans Affairs, Administrator of the
4 Environmental Protection Agency, Secretary of
5 Housing and Urban Development, Secretary of
6 Health and Human Services, and heads of other
7 agencies responsible for providing programs or serv-
8 ices to or for the benefit of Indian tribes or members
9 of Indian tribes, shall develop a uniform method, cri-
10 teria, and procedures for determining, analyzing,
11 and compiling a needs assessment.

12 (2) NEEDS ASSESSMENTS.—Not later than 1
13 year after the date of enactment of this Act, and
14 every 5 years thereafter, each Federal agency, in co-
15 ordination with the Secretary, shall—

16 (A) conduct a needs assessment to deter-
17 mine the needs of Indian tribes and members of
18 Indian tribes eligible for programs and services
19 administered by the agency; and

20 (B) submit to the Committee on Appro-
21 priations and Committee on Indian Affairs of
22 the Senate and the Committee on Appropria-
23 tions and the Committee on Resources of the
24 House of Representatives a report that de-
25 scribes the results of the needs assessment.

1 (b) PROGRAM EVALUATIONS.—

2 (1) DEVELOPMENT OF METHOD, CRITERIA, AND
3 PROCEDURES.—Not later than 180 days after the
4 date of enactment of this Act, the Secretary shall
5 develop a uniform method, criteria, and procedures
6 for compiling, maintaining, updating, and reporting
7 to Congress a program evaluation containing all in-
8 formation concerning—

9 (A) the annual expenditure by a Federal
10 agency for programs and services for which In-
11 dian tribes and members of Indian tribes are el-
12 igible, with specific information including—

13 (i) the names of Indian tribes that are
14 participating in or receiving each service;

15 (ii) the names of Indian tribes that
16 have applied for and not received programs
17 or services; and

18 (iii) the names of Indian tribes for
19 which programs or services were termi-
20 nated within the preceding fiscal year;

21 (B) programs or services specifically for
22 the benefit of Indian tribes and members of In-
23 dian tribes, with specific information includ-
24 ing—

1 (i) the names of Indian tribes that are
 2 currently participating in or receiving each
 3 program or service;

4 (ii) the names of Indian tribes that
 5 have applied for and not received programs
 6 or services; and

7 (iii) the names of Indian tribes for
 8 which programs or services were termi-
 9 nated within the preceding fiscal year; and

10 (C) the methods of delivery of the pro-
 11 grams and services, including a detailed expla-
 12 nation of the outreach efforts of each agency to
 13 Indian tribes.

14 (2) PROGRAM EVALUATIONS.—Not later than 1
 15 year after the date of enactment of this Act, and an-
 16 nually thereafter, each Federal agency responsible
 17 for providing programs or services for the benefit of
 18 Indian tribes or members of Indian tribes shall sub-
 19 mit to the Committee on Appropriations and the
 20 Committee on Indian Affairs of the Senate and the
 21 Committee on Appropriations and the Committee on
 22 Resources of the House of Representatives a report
 23 that describes the results of the program evaluation.

24 (c) ANNUAL LISTING OF TRIBAL ELIGIBLE PRO-
 25 GRAMS.—On or before February 1 of each year, each Fed-

1 eral agency described in subsection (b)(2) shall publish in
2 the Federal Register—

3 (1) a list of all programs and services offered
4 by the agency for which Indian tribes or members of
5 Indian tribes are or may be eligible; and

6 (2) a brief explanation of the program or serv-
7 ice.

8 **SEC. 5. REPORT ON COORDINATION OF PROGRAMS AND**
9 **SERVICES.**

10 (a) IN GENERAL.—Not later than 1 year after the
11 date of enactment of this Act, the Secretary shall submit
12 to the Committee on Appropriations and the Committee
13 on Indian Affairs of the Senate and the Committee on Ap-
14 propriations and the Committee on Resources of the
15 House of Representatives a report detailing the coordina-
16 tion of Federal programs and service assistance for which
17 Indian tribes and members of Indian tribes are eligible.

18 (b) STRATEGIC PLAN.—

19 (1) IN GENERAL.—Not later than 18 months
20 after the date of enactment of this Act, after con-
21 sultation and coordination with the Indian tribes,
22 the Secretary shall submit to the Committee on Ap-
23 propriations and the Committee on Indian Affairs of
24 the Senate and the Committee on Appropriations
25 and the Committee on Resources of the House of

1 Representatives a strategic plan for the coordination
2 of Federal assistance for Indian tribes and members
3 of Indian tribes.

4 (2) CONTENTS OF STRATEGIC PLAN.—The stra-
5 tegic plan under paragraph (1) shall contain—

6 (A) an identification of reforms necessary
7 to the laws (including regulations), policies, pro-
8 cedures, practices, and systems of the agencies
9 responsible for providing programs or services
10 for the benefit of Indian tribes or members of
11 Indian tribes;

12 (B) proposals for remedying the reforms
13 identified in the plan; and

14 (C) other recommendations consistent with
15 the purposes of this Act.

16 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

17 There are authorized to be appropriated for each fis-
18 cal year such sums as are necessary to carry out this Act.

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